



## City of Wheatland

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### CITY COUNCIL MEETING STAFF REPORT

Date: February 23, 2010  
Agenda Item:

**Subject:** Proposed Bishop's Pumpkin Farm Annexation

**Prepared by:** Tim Raney, Community Development Director

**Approved:**   
Stephen L. Wright  
City Manager

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#### Recommendation:

City staff recommends that the Wheatland City Council authorize staff to process the proposed Bishop's Pumpkin Farm Annexation application and cover the processing costs utilizing General Fund Reserves.

#### Discussion:

The Bishop Pumpkin Farm has submitted an application for their property and existing operations to be annexed to the City of Wheatland. The application is seeking council approval of an annexation resolution and pre-zoning of the site to Agriculture Exclusive (AE) with a Planned Development (PD) overlay zone. The existing General Plan designation of the site is Park and the proposed pre-zoning and existing use of the site is consistent with the General Plan designation. The applicant is not seeking to change the existing use of the site.

Staff will create a PD overlay zone consistent with the recent Planned Development Ordinance adopted by the City Council. The purpose of the PD will be to outline the existing uses that are permitted and to define the process necessary for any future expansions or modifications to the site operations.

Attached is a description of the annexation process and a preliminary schedule and cost estimate. The Bishop family has requested that the City absorb the cost of processing the application, including the LAFCO process. The attached cost estimate outlines the details for each task, which totals approximately \$28,600. The cost would be paid out of the City's General Fund Reserves.

One additional policy related question relates to potential liability exposure through the annexation process. On previous annexations that included Development Agreements, the developers were required to assume liability exposures should either the City or LAFCO be sued over the annexation action. Should the Council proceed with this annexation this liability would be the City's. There is likely less exposure to suit on this action due to having the agricultural land use of the Bishop's property remain the same after annexation. None-the-less this is an exposure that the Council needs to be aware of.

#### **Alternatives:**

The Council could decline to process the application or could request the applicant to assume all or part of the processing costs.

#### **Fiscal Impacts:**

There are significant financial advantages to annexing the Bishop's Pumpkin Farm. In addition to some modest property tax revenues and dependent upon the outcome of yet to be negotiated tax sharing agreement with the County, there will likely be significant sales taxes forthcoming to the City on an annual basis after the annexation is complete.

#### **Exhibits:**

Bishop Pumpkin Farm Annexation Process, Schedule, and Cost Estimate

## **BISHOP PUMPKIN FARM ANNEXATION PROCESS**

### *Application Review*

The application for annexation has been submitted and will be reviewed for completeness and consistency with City requirements. The application includes a request for annexation to the City of Wheatland and a pre-zoning to Agriculture Exclusive (AE) with a Planned Development Overlay.

### *Application Routing*

The application will be routed to the standard City distribution list. The distribution will include the project description, as well as the exhibits submitted as part of the applications. The purpose of the routing is to solicit comments on the project, which will be addressed during the project review process.

### *Analysis*

The application will be reviewed for City policy consistency. A Planned Development Overlay will be applied to the project site and Planned Development Standards will be prepared in accordance with the City's recently amended Planned Development Ordinance. In addition, the analysis will cover the means of public services to be provided as a result of the annexation.

### *Environmental Review*

An Initial Study will be prepared which analyzes the potential impacts of the annexation. The Initial Study will assume that the pumpkin farm will continue operations in its existing form and that new impacts would not result from the annexation. Therefore, the appropriate environmental document would be a Negative Declaration. Should expanded operations occur in the future, additional environmental review would be required.

### *Planning Commission Hearing*

Once the agency comments have been received and the project issues have been resolved, the project will be scheduled for a hearing before the Planning Commission. The Planning Commission will make a recommendation to the City Council.

### *City Council Hearing*

Following the Planning Commission hearing, the City Council will conduct a hearing. The City Council would review the annexation and pre-zoning. Should the Council approve the project, they would authorize an annexation application to the Yuba County Local Agency Formation Commission (LAFCO).

### *Coordination with LAFCO*

LAFCO will be coordinated with during the annexation and pre-zoning process in order to ensure that all the necessary information is included in the environmental document and the application to facilitate the processing of the annexation application.

#### *City/County Property Tax Sharing Agreement*

Prior to submittal of an application to LAFCO, a property tax sharing agreement between the City and County shall be completed.

#### *LAFCO Application*

After the City Council has taken action on the project, an application will be submitted to LAFCO for annexation. LAFCO will review the application for consistency with its policies and procedures.

#### *LAFCO Hearing*

LAFCO will conduct a hearing on the annexation application in accordance with its policies and procedures.

#### *Submit to State Board of Equalization*

After LAFCO approval of the annexation, documents must be filed at the State Board of Equalization in order to ensure the proper allocation of sales tax revenues.

## **SCHEDULE**

The tentative schedule for the list of processing tasks associated with the annexation is provided below. The schedule will be modified as necessary in order to process the application as quickly as possible.

<b>Task</b>	<b>Tentative Date</b>
Application Review	March 2010
Application Routing	March 2010
Application Analysis	March 2010
Environmental Review	April 2010
Planning Commission Hearing	May 2010
City Council Hearing	June 2010
LAFCO Coordination	On-Going
Property Tax Sharing Agreement	On-Going
LAFCO Application	June 2010
LAFCO Hearing	August 2010
Submit to State Board of Equalization	August 2010

## COST ESTIMATE

The following outlines Raney's estimated cost for processing the application.

<b>Raney Task</b>	<b>Estimated Cost</b>
Application Review	\$200
Application Routing	\$400
Application Analysis (including preparation of Planned Development)	\$1,200
Environmental Review (IS/ND)	\$7,000
Planning Commission Hearing (staff report and noticing)	\$1,200
City Council Hearing (staff report and noticing)	\$600
LAFCO Coordination	\$400
Property Tax Sharing Agreement	\$2000
LAFCO Application (prepare application)	\$800
LAFCO Hearing	\$200
Submit to State Board of Equalization	\$400
Meetings and Project Management	\$2,000
<b>Total</b>	<b>\$16,400</b>

The following outlines other staff and application estimated costs for processing the application.

<b>Task</b>	<b>Estimated Cost</b>
City Engineer Cost	\$2000
City Attorney Cost	\$2000
City Manager Cost	\$2000
LAFCO Application Fees (\$4,400 initial deposit – LAFCO charges actual cost at \$90/hour)	\$5,000
State Board of Equalization Fees (estimate)	\$1,200
<b>Total</b>	<b>\$12,200</b>